

REMARKS

Claims 1-4, 6-20, 22-26, and 28-41 were pending in this application. Claims 10 to 16 and 31-41 are cancelled, so claims 1-4, 6-9, 17-20, 22-26, and 28-30 are pending.

The independent claims 1, 17, 23, and 30 were amended to resolve rejections over 35 USC 112. These independent claims were amended to recite that the compositions are substantially fluoride ion-free, in response to the Examiner's rejection because the specification teaches the compositions are substantially free of "fluoride ions" and not substantially free of "fluoride." Other minor spelling errors were also corrected.

OBVIOUS-TYPE DOUBLE PATENTING REJECTIONS

The Examiner stated on page 2 of the Office Action that the applicant has not responded appropriately to the ODP rejections applied in the previous rejection and as such these rejections are maintained. The Examiner in the previous action rejected claims 1-39 for obvious-type double patenting over USP 6,319,885 to Lee, Pittman, and Small; rejected claims 1-39 for obvious-type double patenting over USP 6,492,311 to Lee and Chen; rejected claims 1-39 for obvious-type double patenting over USP 6,777,380 to Small, Patel, Lee, Holmes, Daviot and Reid; and rejected claims 1-39 for obvious-type double patenting over 6,110,881 to Lee, Pittman, and Small. Applicants respectfully request that the Examiner reconsider the request in view of the amendments to the claims and the arguments as follows. Specifically, pending independent claims 1, 17, and 23 recite the presence of an alkanolamine that is not taught or suggested in the above-cited patents. Should the Examiner find that independent claim 30, which is not so limited, is supported by the priority documents (and is therefore patentable over U.S. Pat. 5,911,835, which has an identical specification to the priority document) then Applicants will file a terminal disclaimer.

REJECTION OVER PRIOR ART

Applicants gratefully acknowledge the removal of each of : 1) the rejection of claims 1-39 as being anticipated by U.S. Patent 6,372,410; 2) the rejection of claims 1-39 as being anticipated by U.S. Patent 5,798,323; 3) the rejection of claims 1-39 as being anticipated by U.S. Patent 5,968,848; 4) the rejection of claims 1-39 as being anticipated by U.S. Patent 6,068,000; and 5) the rejection of claims 1-39 as being anticipated by U.S. Patent 6,218,087.

Claims 1-4, 6-20, 22-26, and 28-41 stand rejected as anticipated by U.S. Pat. 5,911,835.

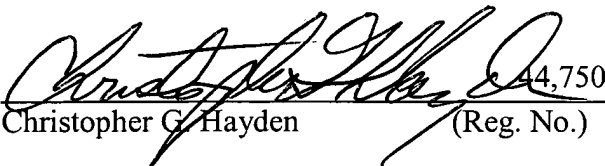
Claims 1-4, 6-20, 22-26, and 28-41 stand rejected as anticipated by U.S. Pat. 5,911,835. The Examiner is in effect rejecting the pending claims over our priority document. U.S. Patent 5,911,835 is a continuation of a division of application 08/078,657 filed June 21, 1993, now abandoned. The current application claims priority to and is a CIP of 10/162,679, and is a CIP of application 09/988,545, which is a continuation of a continuation of application 08/078,657 filed June 21, 1993, abandoned. Therefore, Applicants in the instant application claim priority back through application 08/078,657 filed June 21, 1993, abandoned, which contains a specification identical to that of later-published U.S. Patent 5,911,835. This is specifically mentioned as the Examiner made no mention of this relationship and therefore may have been unaware of the relationship.

Applicant's believe independent claim 30 is fairly taught be the priority document and that the Examiner should reconsider this rejection. Further, with respect to dependent claims 40 and 41 which claim a particular alkanolamine, 2-(2-aminoethylamino)-ethanol, this particular alkanolamine is not disclosed either individually nor in the formula in U.S. Patent 5,911,835 at column 8 lines 54-67. Independent claims 1 and 23 have been amended to incorporate the limitations of dependent claims 40 and 41, respectively, and claims 40 and 41 have been cancelled. Additionally, independent claim 17 was amended to incorporate a similar recitation, and dependent claim 20 was amended accordingly. Applicants respectfully request the Examiner reconsider this rejection.

No fee is believed to be due for this submission; however, should any fees be required, please charge the required fees to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310.

Respectfully submitted,

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Christopher G. Hayden 44,750
(Reg. No.)

Customer Number 009629
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3001 (facsimile)